

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, SEPTEMBER 14, 2010

4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (CHAIRMAN ELDER)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

51-61

V MINUTES (8/10/10)

VI CITIZEN INPUT (4:00 P.M.)

VII PETITIONS AND COMMUNICATIONS/PRESENTATIONS

A. Special Presentations - 4 p.m. **(Resolutions to be adopted and presented to recipients)**

- | | |
|---|--|
| 1 | 1. Res. No. 2010-177 - Acknowledging Participants in "Week of Hope" Program (Cathy Weaver, local leader of Week of Home Program, to accept) |
| 2 | 2. Res. No. 2010-178 - Designation of October as Domestic Violence Awareness Month In Bay County (Representative(s) from Bay Area Women's Center to accept) |
| 3 | 3. Res. No. 2010-179 - Acknowledging Donation from VFW Post 6950 and its Ladies Auxillary for Children's Free Swim at Community Center (Representatives from VFW Post 6950 and Ladies Auxillary to accept) |
| 4 | 4. Res. No. 2010-180 - Acknowledging Saginaw Valley Babe Ruth 13-15 All Star Team (Manager, coaches, players to accept) |

- | | |
|-------|---|
| 5 | 5. Res. No. 2010-181 - Designation of October 3, 2010 as Saginaw River Coast Guard Recognition Day in Bay County (Ed Martin, Pastor Bill Allwardt and Coast Guard member to accept) |
| 6 | 6. Res. No. 2010-182 - Acknowledging Brent Goik and Richard Pabalís on Receipt of MI Works! MVP Award (Brent Goik and Rick Pabalís to accept) |
| | B. City of Bay City |
| 7- 9 | 1. Application for an Obsolete Property Rehabilitation Exemption Certificate - Tom LaPorte - \$170,000 (Receive) |
| 10-12 | 2. Application for Industrial Facilities tax Exemption Certificate - MERSEN USA Bn Corp - \$490,000 (Receive) |

VIII

REPORTS/RESOLUTIONS OF COMMITTEES

A. WAYS AND MEANS (DONALD J. TILLEY, CHAIR; EUGENE F. GWIZDALA, VICE CHAIR)

- | | |
|----|---|
| 13 | 1. No. 2010-183 - E-Ticketing Program - Iyetek (District Ct.) |
| 14 | 2. No. 2010-184 - MMRMA Grant - Restraint Chair (Sheriff Dept.) |
| 15 | 3. No. 2010-185 - P.A. 416 Grant (Sheriff Dept.) |
| 16 | 4. No. 2010-186 - IDentipphoto System for Concealed Weapons Permits (County Clerk) [Note: Referred to Board pending recommendation from Information Systems Dept.] |
| 17 | 5. No. 2010-187 - ARRA Funds - Amendment to Pinconning Township Project |
| 18 | 6. No. 2010-188 - Recovery Zone Facility Bonds - Renosol Corporation |
| 19 | 7. No. 2010-189 - FY2010 Interoperable Emergency Communications Grant Program Agreement - Fiduciary Agent (Administrative Services) |
| 20 | 8. No. 2010-190 - ISeries Replacement (ISD) |
| 21 | 9. No. 2010-191 - Disaster Recovery Services - Net Source One (ISD) |
| 22 | 10. No. 2010-192 - BAISD & SVSU - Fiber Connection (ISD) |

23	11.	No. 2010-193 - Weight Room Equipment (Community Center)
24	12.	No. 2010-194 - Emergency Management Performance Grant (EMPG) Program for FY2010 (Emergency Services)
25-28	13.	No. 2010-195 - 457(b) Plan Modification (Personnel Dept.)
29-30	14.	No. 2010-196 - Budget Adjustments (Various)
	B.	PERSONNEL/JUDICIAL (ERNIE KRYGIER, CHAIR; KIM COONAN, VICE CHAIR)
31-32	1.	No. 2010-197 - 2009-2010 Non-Represented Parity (Personnel Dept.)
33	2.	No. 2010-198 - BASIC Agreement (Personnel Dept.)
34	3.	No. 2010-199 - MedTipster LLC Agreement (Personnel Dept.)
35	4.	No. 2010-200 - Vacancies: 911 Central Dispatch (2)
	C.	HUMAN SERVICES (MICHAEL J. DURANCZYK, CHAIR; VAUGHN J. BEGICK, VICE CHAIR)
36-43	1.	No. 2010-201 - Violence Against Women Act Policy (Bay County Housing Department)
44	2.	No. 2010-202 - MMR Transport Agreement (Health Dept.)
45	3.	No. 2010-203 - Amended Morgue Agreement (Health Dept.)
	D.	BOARD OF COMMISSIONERS (BRIAN K. ELDER, CHAIR; PATRICK H. BESON, VICE CHAIR)
46	1.	No. 2010-204 - Accounts Payable/BAYANET/Center Ridge Arms
47-50	2.	No. 2010-205 - Reports of County Executive

IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

A. County Executive

X UNFINISHED BUSINESS

XI NEW BUSINESS

XII MISCELLANEOUS

XIII ANNOUNCEMENTS

A. 2010 Appointments:

1. October

- a. Department of Human Services Board of Directors (One 3 year term)**

2. December

- a. Division on Aging Advisory Council (Five 2 year terms, Districts 2, 4, 6, 8 and at-large)**

XIV CLOSED SESSION (If requested)

A. Corporation Counsel - Pending Litigation

Motion: To go into closed session pursuant to MCLA 15.268, Sec. 8 (e): To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.

B. Personnel Director - Labor Negotiations

Motion: To go into closed session pursuant to MCLA 15.268, Sec. 8 (c): For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.

XV RECESS/ADJOURNMENT

BAY COUNTY BOARD OF COMMISSIONERS

9/14/10

RESOLUTION

BY: HUMAN SERVICES COMMITTEE (8/17/10)

WHEREAS, The Bay County Board of Commissioners became aware of the 'Week of Hope' program that was planned for summer of 2010; and

WHEREAS, The Bay County Division on Aging worked with the organizers of the 'Week of Hope' to finalize an agreement for participating in the summer program; and

WHEREAS, The Bay County Division on Aging identified a list of senior citizens who had yard clean-up and related projects for the summer youth; and

WHEREAS, Other organizations in Bay County also worked closely with the 'Week of Hope' organizers so many more persons in need could be assisted with these clean-up projects; Therefore, Be It,

RESOLVED, That the Bay County Board of Commissioners offers its sincere appreciation to all those who planned the 'Week of Hope' program for summer 2010, and to the youth who stayed in Bay County for six weeks making improvements that benefitted the less fortunate in our county.

MICHAEL J. DURANCZYK, CHAIR
AND COMMITTEE

DOA - Week of Hope

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS**9/14/10****RESOLUTION**

BY: THE BAY COUNTY BOARD OF COMMISSIONERS

WHEREAS, Home should be a place of warmth, unconditional love, tranquility, and security, and for most of us, home and family can indeed be counted among our greatest blessings. Tragically, for many Americans, these are blessings that are tarnished by violence and fear; and

WHEREAS, Domestic violence is more than the occasional family dispute. According to the National Crime Victimization Survey report, *Intimate Partner Violence*, 876,340 women were victimized by domestic violence in 1998; and

WHEREAS, In our country, 1,320 female homicide victims in 1998 were killed by their husbands or boyfriends, which means that more than three women are murdered by their husbands or boyfriends in this country every day; and

WHEREAS, Women are not the only targets; men, young children and the elderly also are counted among the victims, and, sadly, emotional scars are often permanent; and

WHEREAS, According to the Bureau of Justice Statistics Crime Data Brief, *Intimate Partner Violence*, February 2003, women accounted for 85% of the victims of intimate partner violence, men for approximately 15%; and

WHEREAS, In 2000, 1,247 women were killed by an intimate partner and 440 men were killed by an intimate partner; and

WHEREAS, A coalition of organizations has emerged to directly confront this crisis. Law enforcement officials, those involved with shelters and hotline services, health care providers, the clergy and other concerned citizens are helping in the effort to end domestic violence. We must recognize the compassion and dedication of these volunteers and professionals, applaud their efforts and increase public understanding of this important problem. Therefore, Be It

RESOLVED That the Bay County Board of Commissioners proclaims the month of October as Domestic Violence Awareness Month in Bay County and urges our citizens to observe this month by becoming aware of the tragedy of domestic violence, supporting those who are working toward its end, and participating in community efforts.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

Domestic Violence Awareness Month

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

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AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS**8/10/10****RESOLUTION**

BY: BAY COUNTY BOARD OF COMMISSIONERS

WHEREAS, It is a great pleasure for the Bay County Board of Commissioners and the Bay County Executive to extend their appreciation to the members of the Veterans of Foreign Wars Post 6950 and its Ladies Auxiliary who played an instrumental role in raising funds to allow children to swim free on Thursdays at the Bay County Community Center pool; and

WHEREAS, The VFW and its Ladies Auxiliary serve the veterans of this country and our community as a testament to the sacrifices and commitment of every man and woman who has served in uniform and the generous donation of funds is an example of the commitment of the VFW to our community and its children; and

WHEREAS, The unswerving dedication of the VFW Post 6950 and its Ladies Auxiliary and its interaction within the community speaks highly of the focus of its leadership over its many years of existence; and

WHEREAS, While there have been many changes in society, in our community and in the way we live, the devotion of the VFW Post 6950 and its Ladies Auxiliary to meet the needs warranted by the changing times has been very evident and has had a significant impact in Bay County; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners and the Bay County Executive wholeheartedly offer sincere appreciation to the Veterans of Foreign Wars Post 6950 and its Ladies Auxiliary for their generous gift to Bay County and its children and offer best wishes for continued success in all their endeavors.

BRIAN K. ELDER, CHAIR
AND BOARD

VFW - Children's Swim Donation

Sponsored by Commissioner Patrick H. Beson, 2nd District

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

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BAY COUNTY BOARD OF COMMISSIONERS**9/14/10****RESOLUTION**

BY: THE BAY COUNTY BOARD OF COMMISSIONERS

WHEREAS, The Bay County Board of Commissioners and the Bay County Executive wish to take this opportunity to honor the Saginaw Valley Babe Ruth 13-15 All Star Baseball Team recently crowned National Runners-up at the Babe Ruth World Series held in Monticello, Texas; and

WHEREAS, The Saginaw Valley team completed a 16-3 record which included a Michigan State Championship and the Ohio Valley Regional Championship; and

WHEREAS, The Ohio Valley Regional Championship, which included 12 teams from the Midwest and East Coast, earned the berth to compete in the World Series versus 11 different teams from across the United States; and

WHEREAS, Throughout these games the Saginaw Valley Babe Ruth 13-15 All Star Team garnered impressive victories, which were the result of hard work, team spirit and focus on a goal they knew was achievable; and

WHEREAS, Manager Mark Krzysiak and coaches Howard Miller and Matt Jankowski instilled in their team a sense of fair play and commitment to strive to be the best they could be and they succeeded; and

WHEREAS, Team members Connor Foley, Grant Bridgewater, Grant Miller, Sam Brooks, Zach Olszewski, Brandow Vittitow, Chase Krager, Ryan Jankowski, Luke Scharich, Jordan Stainforth, Tyler Palm, Jake Warren, A. J. Rubio, and A.J. McInnis showed great integrity and sportsmanship, honored themselves, their coaches and parents and this community with their achievements; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners and Bay County Executive extend to the SAGINAW VALLEY BABE RUTH 13-15 ALL STAR TEAM, their manager and coaches congratulations for their fine record, their Michigan State Championship and their Ohio Valley Regional Championship, and offer best wishes for all future endeavors.

BRIAN K. ELDER, CHAIR AND BOARD

Saginaw Valley Babe Ruth 13-15 All Star Team

Sponsored by Commissioner Donald J. Tilley, 9th District

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

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 AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

9/14/10

RESOLUTION

BY: THE BAY COUNTY BOARD OF COMMISSIONERS

WHEREAS, The U. S. Coast Guard's presence in the Saginaw River area dates back to 1842 when a light house was constructed on a portion of land ceded to the U.S. Government by the Chippewa Indians. The original light was replaced in 1876 by the Saginaw River Rear Range Light. In 1939 it became home to the United States Coast Guard Station of the Saginaw River. The building continued to serve as the station until December 1980 when the Coast Guard moved to its present location; and

WHEREAS, The Saginaw River Coast Guard's area of responsibility stretches from Pt. Lookout to Oak Point located at the uppermost part of the Saginaw Bay and stretches along the Saginaw River to Green Point in Saginaw. The station is responsible for servicing 134 aids to navigation from Alpena to river buoy 89 located at Carrollton. The station on average runs approximately 110 search and rescue cases a year. The station has been designated as the Ice Capabilities Center of Excellence, which is the formal training site for the ice rescue procedures and policies for the U. S. Coast Guard; and

WHEREAS, The Station has 8 boats and is currently crewed by 27 active duty personnel and 5 reserve personnel and the Station works closely with the local organizations during marine events, such as fireworks displays and boat races; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners designates Sunday, October 3rd, 2010 as Saginaw River Coast Guard Recognition Day In Bay County and encourages our citizens to attend a ceremony honoring the local Coast Guard at 3:00 p.m. on that date at Zion Lutheran Church, 510 W. Ivy in Bay City.

VAUGHN J. BEGICK

3RD DISTRICT

BAY COUNTY COMMISSIONER

Coast Guard Recognition Day

Sponsored by Commissioner Vaughn J. Begick, 3rd District Commissioner

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Malliette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

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DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

9/14/10

RESOLUTION

BY: THE BAY COUNTY BOARD OF COMMISSIONERS

WHEREAS, MI Works! seeks to recognize public employees who provide excellent service to citizens through its MVP – Most Valuable Player – award; and

WHEREAS, The Bay County Board of Commissioners and County Executive also strive to provide recognition to Bay County Employees who achieve this standard of customer care; and

WHEREAS, MI Works! awarded the MVP award to two employees of the Recreation and Administrative Services Department and publicly recognized these fine public servants in pre-game ceremonies at the September 1, 2010 Great Lakes Loons game; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners and Bay County Executive publicly commend Brent Goik, Recreation and Clubhouse Supervisor and Richard C. Pabalis, Superintendent of Buildings & Grounds for their MI Works! MVP award and the ongoing dedication to the Ideal of excellence in public service practiced by these individuals in the performance of their daily duties on behalf of the citizens of Bay County.

BRIAN K. ELDER, CHAIR
AND BOARD

Golk & Pabalis - MI Works - MVP Award

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____



August 13, 2010

Mr. Brian Elder, Chairman
Bay County Board of Commissioners
515 Center Avenue
Bay City, MI 48708

RE: Application for an Obsolete Property Rehabilitation Exemption Certificate

On August 12, 2010, Mr. Tom LaPorte submitted an application for Obsolete Property Rehabilitation Exemption Certificate for 822 Washington Avenue, 4th Floor, Loft and Roof Deck, Bay City, MI, filed under State of Michigan P.A. 146 of 2000.

In accordance with the Act, you are hereby notified that the application was filed for rehabilitation in the estimated amount of \$170,000.

A response is requested by Friday, September 10, 2010. A public hearing on the applications will be held by the City Commission at their September 13, 2010, meeting scheduled at 7:30 PM in the Commission Chambers, City Hall.

Questions pertaining to the Act or the applications may be directed to the City Assessor, Amy DeHaan-Legge, at 894-8123.

CITY OF BAY CITY

Dana L. Muscott, MMC
Deputy City Manager of Administrative Services/City Clerk

APPLICATION FOR OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE

This form is issued as provided by P.A. 146 of 2000. Filing of this form is voluntary. This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission.

INSTRUCTIONS: File the original and one copy of this form and the required attachments with the clerk of the local government unit. (The State Tax Commission requires one copy of the Application and the Resolution. The original is retained by the clerk.) Please see State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption.

TO BE COMPLETED BY CLERK OF LOCAL GOVERNMENT UNIT. Clerk must also complete sections 14, 15 and 17 on page 2.		THIS SECTION FOR USE BY THE STATE TAX COMMISSION	
Signature		Application No.	
Date This Application Was Received 8/12/10		Date Received	
TO BE COMPLETED BY APPLICANT (Applicant, do not write above this line. Begin entries at 1a below.)			
1a. Applicant (Company) Name (Applicant must be the OWNER of the facility) Thomas LaPorte MA REAL ESTATE		Important Note: If this application form (3674) is not fully completed, it will be returned by the Property Tax Division prior to any processing being done by the State Tax Commission	
b. Company Mailing Address (No. and Street, P.O. Box, City, State, ZIP) 2230 Groveland Bay City MI 48708			
c. Location of Obsolete Facility (No. and Street, City, State, ZIP) 822 Washington Ave 4th floor, 10ft x 10ft		d. City/Twp/Village Bay City	e. County Bay
2. Date of Commencement of Rehabilitation 8/1/2010	3. Planned Date of Completion of Rehabilitation 1/1/2011	f. School District Where Facility Is Located Bay City	a. School Code 9010
5. Estimated Cost of Rehabilitation \$170,000		6. How Many Years of Exemption Requested? 12	
7. Project will have the reasonable likelihood to: (Check one or more) <input type="checkbox"/> Increase commercial activity <input type="checkbox"/> create employment <input checked="" type="checkbox"/> retain employment <input checked="" type="checkbox"/> prevent a loss of employment <input checked="" type="checkbox"/> revitalize urban areas <input checked="" type="checkbox"/> Increase the number of residents in the community in which the facility is situated		8. Legal Description of Obsolete Property Lot 12, Block 54 Lower Saginaw, City of Bay City, Bay County, Michigan.	
7a. Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment:			
9. The following must be provided to the local governmental unit as attachments to this application: (a) General description of the obsolete facility, (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption.			
10. The State Treasurer may exclude from the specific tax up to 1/2 of the mills levied for local school operating purposes and for the State Education Tax. Please check the following box if you wish to be considered for this exclusion: <input checked="" type="checkbox"/>			
11. APPLICANT'S CERTIFICATION The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information which it provides is untrue, the exemption provided by P.A. 146 of 2000 may be in jeopardy. The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by P.A. 146 of 2000 and that the rehabilitation of the facility would not be undertaken without the applicant's receipt of the exemption certificate. It is further certified that the undersigned is familiar with the provisions of P.A. 146 of 2000, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.			
12. Name of Person to Contact for Further Information Tom LaPorte		Title President MA Real Estate	Telephone Number (989) 895-3588
Mailing Address 2230 Groveland Bay City, MI 48708			
13. Type Name of Company Officer Thomas LaPorte		Title Pres	Telephone Number (989) 581-9600
Signature [Signature]		Date 7/25/10	

LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application.

14. Action Taken
☐ Date of Action: _____

☐ EXEMPTION APPROVED FOR _____ Years

Ending December 31, _____ (not to exceed 12 years)

☐ DISAPPROVED
15. RESOLUTION MUST CONTAIN THE FOLLOWING.

A copy of the resolution must be furnished to the State Tax Commission.

- ☐ A statement that the local unit is a Qualified Local Governmental Unit.
- ☐ A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of P.A. 146 of 2000.
- ☐ A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under P.A. 146 of 2000 and under P.A. 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.
- ☐ If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operating of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.
- ☐ A statement that the application was approved at a public hearing as provided by section 4(2) of P.A. 146 of 2000 including the date of the hearing.
- ☐ A statement that the applicant is not delinquent in any taxes related to the facility.
- ☐ A statement of the factors, criteria and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.
- ☐ A statement that the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000.

- ☐ A statement that all of the items described on line 9 of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.
- ☐ A statement that the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District.
- ☐ A statement that the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of P.A. 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under P.A. 146 of 2000 to establish such a district.
- ☐ A statement that completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the facility is situated. The statement should indicate which of these the rehabilitation is likely to result in.
- ☐ A statement that the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(f) of P.A. 146 of 2000.
- ☐ A statement of the period of time authorized by the Qualified Local Governmental Unit for completion of the rehabilitation.

16. ASSESSOR:

Taxable Value

State Equalized Value (SEV)

 Current Taxable
Value and State
Equalized Value of
obsolete properties
broken down for:

Land	33,000	
Buildings	185,700	
Buildings on Leased Land	0	
Other Personal Property	27,900	
Year of Values	2010	

33,000
185,700
0
27,900
2010

17. Name of Local Government Body

City of Bay City

Date of Action on This Application

CLERK'S CERTIFICATION

The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by P.A. 146 of 2000 may be in jeopardy.

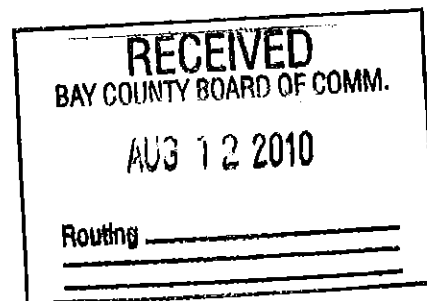
Signature of Clerk	Date	Telephone Number ()
Clerk's Mailing Address	City	ZIP Code

**Applications received after October 31 may not be acted upon in the current year.
This application is subject to audit by the State Tax Commission.**

Mail completed Application and copy of Resolution to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, Michigan 48909-7971

If you have any questions, please call (517) 373-2408 or 373-3302.



August 11, 2010

Mr. Brian Elder, Chairman
Bay County Board of Commissioners
515 Center Avenue
Bay City, MI 48708


RE: Applications for Industrial Facilities Tax Exemption Certificate

MERSEN USA Bn Corp, Bay City, Michigan, has submitted an application for an Industrial Facilities Tax Exemption Certificate for property located at 900 Harrison Street, Bay City, MI, filed under State of Michigan Act 198, Plant Rehabilitation and Industrial Development District Law of 1974, as amended.

In accordance with Section 5(2) of the Act, you are hereby notified that the application was filed in the amount of \$490,000 for land, building improvements, machinery and equipment.

A response is requested by Friday, September 10, 2010. A public hearing on the application will be held by the City Commission at their September 13, 2010, meeting scheduled at 7:30 PM in the Commission Chambers, City Hall.

Questions pertaining to the Act or the application may be directed to Amy DeHaan-Legge, City Assessor, at 894-8123.

CITY OF BAY CITY

Dana L. Muscott, MMC
Deputy City Manager of Administrative Services/
City Clerk

-16-

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of P.A. 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an Informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date received by Local Unit
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

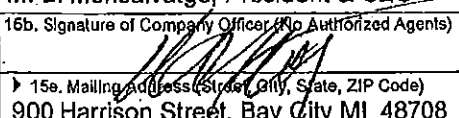
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) MERSEN USA Bn Corp., Bay City Branch		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3624													
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 900 Harrison Street, Bay City MI 48708		1d. City/Township/Village (Indicate which) Bay City	1e. County Bay County												
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located Bay City	3b. School Code 09010												
<input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Rehabilitation (Sec. 3(1))		4. Amount of years requested for exemption (1-12 Years) 12 years													
5. Thoroughly describe the project for which exemption is sought: Real Property (Type of Improvements to Land, Building, Size of Addition); Personal Property (Explain New, Used, Transferred from Out-of-State, etc.) and Proposed Use of Facility. (Please attach additional page(s) if more room is needed). This application is for the building modifications and equipment necessary to create a specialized machining cell in the new warehouse building constructed in 2009. It includes a new Okuma Vertical CNC lathe and all the peripheral equipment necessary for its operation.															
6a. Cost of land and building improvements (excluding cost of land)..... * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.		▶ \$40,000.00 Real Property Costs													
6b. Cost of machinery, equipment, furniture and fixtures..... * Attach itemized listing with month, day and year of beginning of installation plus total costs		▶ \$450,000.00 Personal Property Costs													
6c. Total Project Costs..... * Round Costs to Nearest Dollar		▶ \$490,000.00 Total of Real & Personal Costs													
7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC. <table border="0"><thead><tr><th></th><th>Begin Date (M/D/Y)</th><th>End Date (M/D/Y)</th><th></th></tr></thead><tbody><tr><td>Real Property Improvements ▶</td><td><u>4/12/10</u></td><td><u>8/9/10</u></td><td>▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased</td></tr><tr><td>Personal Property Improvements ▶</td><td><u>3/1/10</u></td><td><u>8/31/10</u></td><td>▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased</td></tr></tbody></table>					Begin Date (M/D/Y)	End Date (M/D/Y)		Real Property Improvements ▶	<u>4/12/10</u>	<u>8/9/10</u>	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased	Personal Property Improvements ▶	<u>3/1/10</u>	<u>8/31/10</u>	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
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Real Property Improvements ▶	<u>4/12/10</u>	<u>8/9/10</u>	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased												
Personal Property Improvements ▶	<u>3/1/10</u>	<u>8/31/10</u>	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased												
8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No															
9. No. of existing jobs at this facility that will be retained as a result of this project. 120		10. No. of new jobs at this facility expected to create within 2 years of completion. 4													
11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of valuation for the entire plant rehabilitation district and obsolescence statement for property. The SEV data below must be as of December 31 of the year prior to the rehabilitation. <table border="0"><tbody><tr><td>a. SEV of Real Property (excluding land)</td><td>_____</td></tr><tr><td>b. SEV of Personal Property (excluding inventory)</td><td>_____</td></tr><tr><td>c. Total SEV</td><td>_____</td></tr></tbody></table>				a. SEV of Real Property (excluding land)	_____	b. SEV of Personal Property (excluding inventory)	_____	c. Total SEV	_____						
a. SEV of Real Property (excluding land)	_____														
b. SEV of Personal Property (excluding inventory)	_____														
c. Total SEV	_____														
12a. Check the type of District the facility is located in: <input checked="" type="checkbox"/> Industrial Development District <input type="checkbox"/> Plant Rehabilitation District															
12b. Date district was established by local government unit (contact local unit) 12/16/77, 4/5/90 + 3/7/2005		12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Jennifer Rezler	13b. Telephone Number (989) 895-7720	13c. Fax Number (989) 895-7785	13d. E-mail Address jennifer.rezler@mersen.com
14a. Name of Contact Person Jennifer Rezler	14b. Telephone Number (989) 895-7720	14c. Fax Number (989) 895-7785	14d. E-mail Address jennifer.rezler@mersen.com
▶ 15a. Name of Company Officer (No Authorized Agents) M. B. Monsalvatge, President & CEO			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (973) 541-1718	15d. Date 7/22/10
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 900 Harrison Street, Bay City MI 48708		15f. Telephone Number (973) 299-4508	15g. E-mail Address bernle.monsalvatge@mersen.

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Years (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code	16d. School Code
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

-12-

BAY COUNTY BOARD OF COMMISSIONERS**9/14/10****RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (9/7/10)
- WHEREAS, On May 11, 2010, via resolution no. 2010-88, the Bay County Board of Commissioners approved implementation of an electronic ticketing program in Bay County and appropriated \$115,000 to acquire an e-ticketing solution; and
- WHEREAS, At the time the proposal was developed, the company initially selected was APS-Advanced Public Safety; and
- WHEREAS, As the result of extensive research and review, it is determined that Iyetek whose quotation is \$70,240.50 (\$15,065.20 less than APS) is the vendor of choice; and
- WHEREAS, Judicial Management Systems (JMS), 74th District Court's software vendor, does not have an interface module available for Iyetek and, at Bay County's request, is working with Iyetek to prepare a quote for creation of this module. This will result in an increased cost yet to be determined. Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the selection of Iyetek as the vendor of choice for the e-ticketing program in Bay County and authorizes the Chairman of the Board to execute the contract with Iyetek, as well as all other related documents, on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

DistCt&Sheriff - E-Ticketing Program - Iyetek

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS**9/14/10****RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (9/7/10)
- WHEREAS, Michigan Municipal Risk Management Authority (MMRMA) has approved the Bay County Sheriff's application to cover 50% of the cost of a restraint chair to be used by corrections staff to immobilize extremely violent inmates who are a serious threat to themselves, staff and other inmates; and
- WHEREAS, The restraint chair provides safety for the officers as well as the person being restrained; and
- WHEREAS, The total cost of the restraint chair project is \$1,525 and the County's 50% share totals \$762.50, however, funds have not been budgeted for this purchase; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners accepts the MMRMA grant for the restraint chair and allocates the County's match portion of \$762.50 from Fund Balance; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute any documents required for this project on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Sheriff Dept - Restraint Chair

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

**BAY COUNTY BOARD OF COMMISSIONERS
9/14/10**

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (9/7/10)

WHEREAS, The Bay County Sheriff Department has participated in the Secondary Road Patrol (PA 416) State Office of Highway Safety grant for several years, said grant providing funding for three (3) officers, two patrol vehicles and additional support equipment; and

WHEREAS, Grant funding in the projected amount of \$149,900 is available for FY 2010-2011 (\$168,428 was funded for FY 2009-2010) and the Bay County Sheriff again wishes to make application for P.A. 416 funding; and

WHEREAS, In order to maintain grant compliance, Bay County must continue Maintenance of Effort of twenty three (23) locally funded Road Patrol officers for the FY 2011 grant cycle; and

WHEREAS, No local funding match is required for the P.A. 416 grant; Therefore, Be It RESOLVED By the Bay County Board of Commissioners that the application for Secondary Road Patrol (PA 416) and Traffic Accident Prevention Program funding for 2010-2011 is approved and the Chairman of the Board authorized to execute the grant application, grant contract, and all documents related to the 2010-2011 P.A. 416 Grant, following legal review/approval; Be It Further

RESOLVED That required budget adjustments are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Sheriff - PA 416 Grant - 2010-11

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

-15-

BAY COUNTY BOARD OF COMMISSIONERS

9/14/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (9/7/10)
- WHEREAS, The Bay County Clerk wishes to purchase an "IDentiphoto" system for the processing of concealed weapons permits; and
- WHEREAS, This system, which will affix the photograph by scanned, digitized means, would work in conjunction with software applications purchased from Eaton County and will produce a secured concealed weapon permit in an expeditious manner; and
- WHEREAS, This computer application has been developed in cooperation with and approved by the Michigan State Police for the processing of carrying concealed weapon permits; and
- WHEREAS, The funding required (\$8,000) covers \$5,100 for the software/hardware system; \$1,500 three year service contract; \$1,000 for print cartridges and \$400 initial card stock and these funds are not included in the County Clerk's 2010 budget; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the purchase of an IDentiphoto System for the processing of concealed weapons permits by the Bay County Clerk's office at a cost of \$8,000, monies to come from Fund Balance; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute any documents required for this purchase following legal review/approval; Be It Finally
- RESOLVED That budget adjustments required are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

County Clerk - IDentiphoto System

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Malllette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS**9/14/10****RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (9/7/10)
- WHEREAS, On April 13, 2010, the Bay County Board of Commissioners adopted resolution no. 2010-55 approving Recovery Zone Economic Development Bond allocations to the City of Bay City (\$5,862,000) and to Pinconning Township (\$750,000); and
- WHEREAS, Pinconning Township's allocation was to be utilized to construct an approximate 3 mile 12" water line extension as well as improvements to their M-13 water main from Cody Estey Road north to Bay-Arenac Road; and
- WHEREAS, Pinconning Township now wishes to improve and extend its existing water system to the west side of the I-75/Pinconning Road Interchange to serve additional customers and properties and enhance and promote public welfare; and
- WHEREAS, The Township's as-bid cost for the Township's I-75 component is \$151,000 and the as-bid estimate of cost for the Township's M-13 water extension is \$465,000 totaling \$616,000 for the combined project, \$134,000 under the Recovery Zone Economic Development Bond allocation of \$750,000; and
- WHEREAS, It is the intent of Pinconning Township to relinquish the remaining \$134,000 County RZEDB allocation; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners hereby amends resolution no. 2010-55 to include the I-75 component in the Pinconning Township RZEDB allocation; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute any documents required to include the I-75 component in the Pinconning Township RZEDB allocation on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That Bay County accepts the \$134,000 allocation remaining from the Pinconning Township M-13 and I-75 projects.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

ARRA FUNDS - Amendment to Pinconning Township Project/Allocation

Sponsored by Commissioner Michael J. Duranczyk, 1st District.

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Malliette				Brian K. Elder			
Patrick H. Beson				Ernie Krygier				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS**9/14/10****RESOLUTION**

BY: WAYS AND MEANS COMMITTEE (9/7/10)

WHEREAS, In 2009 the United States Department of Treasury announced an interest/tax credit program **(not a cash allocation program)** for public entities and private businesses under the American Recovery and Reinvestment Act of 2009 (ARRA); and

WHEREAS, Bay County was allocated \$6,612,000 for public entities and \$9,917,000 for private businesses; and

WHEREAS, On April 13, 2010 (res. no. 2010-55) Bay County awarded the public allocation to the City of Bay City (\$5,862,000) and to Pinconning Township (\$750,000); and

WHEREAS, Renosol Corporation has submitted a request for an allocation available to private businesses; and

WHEREAS, Renosol is a technology-based company that has a significant track record as a tier 2 automotive supplier over the last 20 years with many significant accomplishments over that period of time; and

WHEREAS, Renosol Corporation occupies a plant at 691 River Road in Bay County and would like to participate in this program and Renosol management believes it would qualify for this program; and

WHEREAS, Renosol Corporation is proposing to re-equip its Bay City Michigan plant to create a manufacturing facility for composite leaf springs for vans, light, medium and heavy duty trucks and trailers; and

WHEREAS, This project will use innovations in chemical polymer technology to manufacture glass reinforced polymer truck leaf springs, delivering a 70% weight reduction, thus reducing fuel usage and CO₂ emissions; and

WHEREAS, Renosol's project start is projected for 2010 and they have a prototype order for a composite leaf spring from a manufacturing facility located in Holland, MI; and

WHEREAS, The required investment is \$3,145,161 and it is projected that 125 jobs will be created over a 5 year period; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the allocation of \$3,145,161 of the \$9,917,000 In Recovery Zone Facility Bonds, Interest/tax credit program, to Renosol Corporation; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute any and all documents required to process the funding allocation as required by the U. S. Department of Treasury following legal review/approval.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Renosol Corporation - RZFB

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-18-

BAY COUNTY BOARD OF COMMISSIONERS**9/14/10****RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (9/7/10)
- WHEREAS, As in 2009, Bay County again has the opportunity to take part in the FY2010 Interoperable Emergency Communications Grant Program (IECGP) which is a regional grant and is effective when the documents are signed. The performance period of the grant is 36 months; and
- WHEREAS, Bay County is included in Region 3 which equates to the Michigan State Police Region 3 and is comprised of 14 counties and which has been tasked by the Michigan Emergency Management and Homeland Security Division (EMHSD) to unite public officials to address common problems; and
- WHEREAS, The R3HSPB has appointed a communications committee chaired by Leonard Norman, 911 Director for Bay County and the goal of the committee and the IECGP is to improve local, tribal, regional, statewide, and national interoperable emergency communications, including communications in collective response to natural disasters, acts of terrorism and other man-made disasters; and
- WHEREAS, The grant award for Region 3 is \$93,543 and the fiduciary agent will be allowed 5% (\$4,677.15) for management and administration of the grant; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners authorizes Bay County Administrative Services to act as the fiduciary agent for Region 3; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute the grant contract and all required documents on behalf of Bay County following legal review/approval; Be It Finally
- RESOLVED That required budget adjustments are approved.

DONALD J. TILLEY, CHAIR

AND COMMITTEE

Adm Services - FY2010IECGP Agt - Fiduciary Agent

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygier				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-19-

BAY COUNTY BOARD OF COMMISSIONERS**9/14/10****RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (9/7/10)
- WHEREAS, In 2005 the Bay County Board of Commissioners approved replacement of the AS/400 machines for County and 9-1-1 processing needs and, at that time, a used ISeries machine was located in the County Building for Central Dispatch and Sheriff Department processing platforms; and
- WHEREAS, At the time the machine was minimal in size and used over the course of the past five years as a redundant machine in the event of hardware failure at the Central Dispatch main machine; and
- WHEREAS, The current ISeries operating system is out of date and the upgrade of the used redundant box has outlived its usefulness; and
- WHEREAS, After a review of the needs countywide as well as cost, complete removal of the ISeries machines is not feasible at this time; and
- WHEREAS, It is proposed that a used ISeries be purchased to replace the current ISeries model 270 at a cost of \$6,000 along with the IBM operating system release level of 6.1 and migration services to the new user model at a cost of \$3,500; and
- WHEREAS, The current 520 with two partitions (one for Central Dispatch/Sheriff and the other for County processing) will be upgraded to release level 6.1 on both partitions and the cost for these services will total \$5,700; and
- WHEREAS, The total 3 year cost is \$49,784. \$15,200 is the funding required in 2010, \$7,600 from 9-1-1 funds and \$7,600 from the general fund. The remaining required funding will be included in the 2011 and 2012 budgets, respectively; and
- WHEREAS, The cost for maintenance of the hardware and software is budgeted for the remainder of 2010 and budgeted for 2011 in the respective budgets; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the Information Systems Director's ISeries replacement proposal to include acquisition of a used ISeries at a cost of \$6,000, IBM operating system release level of 6.1 and migration services to the new user model at a cost of \$3,500, and upgrade of the current 520 partitions (2) to release level 6.1 at a cost of \$5,700; Be It Further
- RESOLVED That the 2010 cost of the ISeries replacement/upgrade of \$15,200 shall be shared by the County (\$7,600) and 9-1-1 millage funds (\$7,600) with the general fund portion to come from Fund Balance; Be It Further
- RESOLVED That required budget adjustments are approved; Be It Finally
- RESOLVED That the Chairman of the Board is authorized to execute any documents required related to the ISeries replacement on behalf of Bay County following legal review/approval.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

ISD - ISeries Replacement

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

- 20 -

BAY COUNTY BOARD OF COMMISSIONERS

9/14/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (9/7/10)
- WHEREAS, In May 2010, the Bay County Board of Commissioners approved renewal of a contract with SunGard for Disaster Recovery services on the iSeries platforms expiring 12/15/10; and
- WHEREAS, Since May 2010 Bay County Information Systems has been pursuing other vendors for disaster recovery services based on protection, performance, cost, location and flexibility; and
- WHEREAS, After receiving 5 bids for Disaster Recovery services, the Information Systems Director is recommending Net Source One, Saginaw, to provide disaster recovery services as outlined:
1. iSeries platform: Net Source One will provide the working area within their Data Center to host a iSeries that will be delivered within a 8 hour time frame to restore the data from the most recent backup. Ask Corporation will be contractually under agreement that if the County declares a disaster they will deliver to Net Source One a compatible machine to the machines currently in place at Central Dispatch. The cost for these services will be a monthly fee of \$175.00 from Net Source One for a yearly fee of \$2,100.00. The ASK Technology Services will be a yearly fee of \$2,400.00. In the event of a disaster ASKTechnology Services will cost \$1,000 per disaster declared with the option of a test for \$500.00. Total cost of the entire agreement is **\$4,500.00.**
 2. VM Ware platforms will have a owned County server and storage devices that Net Source One will have a rack available for all servers at a cost of \$600.00 per month with a yearly total of **\$7,200.00;** and
- WHEREAS, Funds for disaster recovery services are budgeted in 2010 and will be included in the 2011 budget; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the contract with Net Source One for Disaster Recovery services commencing 12/15/10 and the Chairman of the Board is authorized to execute said contract and all related documents on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

ISD - Net Source One - Disaster Recovery Services

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-21-

BAY COUNTY BOARD OF COMMISSIONERS**9/14/10****RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (9/7/10)
- WHEREAS, For over 5 years Bay County ISD has been attempting to attach to the fiber that runs along 1st Street which is the BAISD fiber run; and
- WHEREAS, Recently Bay County was approached by SVSU representatives offering use of two strands of fiber that have connection to SVSU, Saginaw County, the City of Saginaw and Midland County; and
- WHEREAS, A Memorandum of Agreement stating that Bay County will have access to the fiber for three years has been drafted and includes a year-to-year renewal clause as well as a clause allowing for written termination; and
- WHEREAS, Other than the connection cost, projected to be under \$10,000, there is no additional cost to Bay County; and
- WHEREAS, Homeland Security grant funding is being pursued to cover the connection cost; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the Memorandum of Agreement between Bay County (ISD) and Bay Arenac Intermediate School District and Saginaw Valley State University and authorizes the Chairman of the Board to execute said MOA on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That approves use of Homeland Security Grant funds for fiber connection and further approves any budget adjustments that may be required.

DONALD J. TILLEY, CHAIR

AND COMMITTEE

ISD - BAISD & SVSU - Fiber Connection

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

 DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

-22-

BAY COUNTY BOARD OF COMMISSIONERS

9/14/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (9/7/10)
- WHEREAS, In 2009 the Bay County Community Center weight room was renovated for an initiative of wellness to promote better health offered to the public at an affordable cost and for Bay County employees and retirees; and
- WHEREAS, Included in the renovation of the weight room was the expansion of the room, additional equipment purchased and flat screen televisions hung on the walls; and
- WHEREAS, A large increase in use of the weight room occurred and is continuing to show growth and with the increased use and equipment life expectancy, pieces of equipment are beginning to deteriorate and maintenance on a certain elliptical machine is beyond repair thus rendering this machine unusable; and
- WHEREAS, The Bay Area Runners Club generously donated \$1,200 towards enhancement of the weight room and these funds could be used towards the purchase an elliptical machine, cost of said equipment being \$3,000; and
- WHEREAS, Year to date the overall revenue at the Community Center in admission and user fees is \$18,705 as compared to \$13,845 in 2009 and Administration recommends utilizing a portion of this revenue to offset the cost of the elliptical machine; Therefore, Be It
- RESOLVED That, with sincere gratitude, the Bay County Board of Commissioners hereby accepts the \$1,200 donation from the Bay Area Runners Club; Be It Further
- RESOLVED That the Bay County Board of Commissioners approves the purchase of an elliptical machine for the Community Center's weight room using the \$1,200 donation from the Bay Area Runners Club and \$1,800 from the Health Insurance; Be It Further
- RESOLVED That the Chairman of the Board Is authorized to execute any documents that may be required on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That budget adjustments required are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Comm Ctr - Elliptical Machine

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Begick				Klm Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

9/14/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (9/7/10)
- WHEREAS, The Federal Emergency Management Agency (FEMA) provides federal funds through the EMPG Program for state and local emergency management programs; and
- WHEREAS, As the designated grantee of the EMPG funding in Michigan, the Michigan State Police Emergency Management and Homeland Security Division (EMOHSD) enters into agreements with local emergency management programs each year; and
- WHEREAS, Reimbursement for the emergency management program is contingent upon completion of the activities in the signed Emergency Management Work Plan which is maintained in the Emergency Management Coordinator's office; and
- WHEREAS, In order to remain eligible for EMPG funding, certain requirements must be met; and
- WHEREAS, The EMPG Agreement covers the current fiscal year and provides \$24,382 of covered program expenses which is an increase over FY 2009's EMPG Agreement (\$22,417);
- Therefore, Be It
- RESOLVED By the Bay County Board of Commissioners that the Chairman of the Board is authorized to execute the Emergency Management Performance Grant (EMPG) Program Agreement for FY 2010 (\$24,382.00) and all related documents on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That budget adjustments pertaining to this grant are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Emergency Services - EMPG FY 2010

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

- 24 -

BAY COUNTY BOARD OF COMMISSIONERS**9/14/10****RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (9/7/10)
- WHEREAS, The County's current 457(b) plan does not have provisions for participants to take out loans against their savings; and
- WHEREAS, Nationwide Retirement Solutions, the third party administrator of the deferred compensation plan, will administer such a plan providing that the plan modification has been approved by the proper authority within the County; and
- WHEREAS, County administration is requesting that the Board of Commissioners modify Bay County's policy regarding administration of the 457(b) plans to include provisions for participant loans similar to the loan provision provided in the County's 401(k) plan with administration of loans to be handled by Nationwide Retirement Solutions. Administration of loans shall include but not be limited to direct contact with the employee (participant), arranging collection of loan payments from the participant's bank account, and monitoring the payment schedule of the loan; and
- WHEREAS, There is no financial impact on Bay County; Therefore Be It
- RESOLVED That the Bay County Board of Commissioners, this date, hereby adopts the National Association of Counties Deferred Compensation Program, The Deferred Compensation Plan for Public Employees, Loans to Participants Amendment to Plan Document (attached) and authorizes the Chairman of the Board to execute any documentation that may be required to implement the 457(b) modification on behalf of Bay County following legal review/approval.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Personnel - 457(b) Plan Modification

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-25-

**NATIONAL ASSOCIATION OF COUNTIES
DEFERRED COMPENSATION PROGRAM**

THE DEFERRED COMPENSATION PLAN FOR PUBLIC EMPLOYEES

LOANS TO PARTICIPANTS AMENDMENT TO PLAN DOCUMENT

WHEREAS, PLAN SPONSOR executed the above referenced Plan Document, as amended: and

WHEREAS, effective _____, PLAN SPONSOR now desires to further amend the plan document.

The following Section 8.06 is hereby added:

8.06 Loans to PARTICIPANTS

- (a) PLAN SPONSOR has elected to make loans available to PARTICIPANTS and has delegated certain administrative duties regarding loans from the PLAN to the ADMINISTRATOR.
- (b) Any loan by the PLAN to a PARTICIPANT under this Section shall be subject to the loan administrative procedures established by the ADMINISTRATOR as well as the following requirements:
 - (i) Loan Eligibility. Any PARTICIPANT may apply for loan under the PLAN. A PARTICIPANT who has defaulted on a previous loan from the PLAN shall not be eligible for another loan from the PLAN until all defaulted loans are repaid in full, including accrued interest and fees.
 - (ii) Loan Application and Loan Agreement. A PARTICIPANT must complete and return to ADMINISTRATOR a loan application. A non-refundable application fee established by ADMINISTRATOR will be deducted from the PARTICIPANT'S ACCOUNT(s) at the time of loan origination. Before a loan is issued, the PARTICIPANT must enter into a legally enforceable loan agreement as provided for by the ADMINISTRATOR.
 - (iii) Loan Repayment. The PARTICIPANT receiving a loan shall be required to furnish to ADMINISTRATOR any information and authorization necessary to effectuate repayment of the loan prior to the commencement of a loan. In the event that a payment cannot be processed because of lack of sufficient funds, the ADMINISTRATOR shall assess an insufficient funds charge, which will be deducted from the PARTICIPANT'S ACCOUNT(s).

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- (iv) **Loan Term and Interest Rate.** The maximum term over which a loan may be repaid is five (5) years (fifteen (15) years if the PLAN SPONSOR permits loans for the purchase of a PARTICIPANT'S principal residence). Each loan shall be amortized in substantially equal payments consisting of principal and interest during the term of the loan, except that the amount of the final payment may be higher or lower. The ADMINISTRATOR shall establish the interest rate for any loan.
- (v) **Loan Frequency.** Each Participant may have only one (1) PLAN loan outstanding at any given time. A PLAN loan which is in default, even if the defaulted loan was treated as a "deemed distribution" under federal regulations, shall be treated as an outstanding loan until such PARTICIPANT'S account balance is offset by the amount of principal and accrued interest under the loan. A PARTICIPANT will be granted a loan no more frequently than two (2) times in any twelve (12) month period.
- (vi) **Default.** The PARTICIPANT must pay the full amount of each loan payment (principal and interest) on the date that it is due. Failure to make such a payment by the due date, or within any cure period established by the ADMINISTRATOR, shall cause the PARTICIPANT to be in default for the entire amount of the loan, including any accrued interest. A loan will also be in default if the PARTICIPANT either refuses to execute, revoke, or rescind any agreement necessary to comply with the provisions of this Section or the loan administrative procedures established by the ADMINISTRATOR, commences or has commenced against PARTICIPANT a bankruptcy case, or upon the death of the PARTICIPANT.
- (vii) **Loan Security.** By accepting a loan, the PARTICIPANT is giving a security interest in their vested PLAN balance as of the loan process date, together with all additions thereof, to the PLAN that shall at all times be equal to 100% of the unpaid principal balance of the loan together with accrued interest.
- (viii) **Loan Amount.** The maximum amount of any loan permitted under the PLAN is the lesser of (i) 50% of the PARTICIPANT'S vested account balance less any outstanding loan balances under the PLAN or (ii) \$50,000 less the highest outstanding loan balance during the preceding one-year period. The ADMINISTRATOR shall establish the minimum loan amount. The PARTICIPANT and not the ADMINISTRATOR shall at all times remain responsible for ensuring that any loan received under the PLAN is in accordance with these limits with regard to any other loans received by the PARTICIPANT under any other plans of the PARTICIPANT's employer.

- (ix) Loan Maintenance Fee. Until a loan is repaid in full, an annual loan maintenance fee as established by ADMINISTRATOR will be deducted from the PARTICIPANT'S ACCOUNT(s).
- (x) Loan Default Fee. At the time when a default occurs, a loan default fee established by ADMINISTRATOR will be deducted from the PARTICIPANT'S ACCOUNT(s).
- (c) The ADMINISTRATOR shall fix such other terms and conditions necessary to the administrative maintenance of the provisions of this Section and as necessary to comply with the IRC and regulations there under.

IN WITNESS WHEREOF, the undersigned has executed this Amendment this _____ day of _____, 20__.

(Name of PLAN SPONSOR)

By:

RESOLUTION

NO. 2010-196

By: WAYS AND MEANS COMMITTEE 9/7/2010

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 9/14 /2010 and, if required, the Chairman of the Board is hereby authorized to execute any documentation necessary for said Budget Adjustments on Behalf of Bay County.

<u>Request Number</u>	<u>Fund Involved Department Involved</u>	<u>Favorable Unfavorable Impact Impact</u>	<u>No Impact</u>
<u>2010-09-001</u>	<u>General Fund</u> Sheriff Department Activity	\$762	
	Budget for Sheriff Department to purchase a restraint chair to be used by corrections staff. Funding for this chair is 50% from Michigan Municipal Risk Management Authority and 50% from General Fund Balance.		
2010-09-002	General Fund Treasurer's Activity Register of Deeds Activity		X
	To budget for Treasurer Office Delinquent Tax Foreclosure fund (5180) sending their title search work to Register of Deeds. So Register of Deeds office gets paid for the work instead of an outside vendor. This budget adjustment is to cover Treasurer's office budget reduction target of \$4,871 from 2010 budget.		

2010-09-003 General Fund \$822,516
 Treasurer's Office Activity
 To reduce current property
 taxes, personal property taxes
 and industrial facility tax were
 budgeted using an estimated
 1.01% increase but 4.45%
 decrease was the amount for
 real, personal and industrial
 facility tax.

2010-09-004 General Fund \$93,570
 Treasurer's Office Activity
 Mosquito Control Fund
 Division on Aging Fund
 Central Dispatch Fund
 Gypsy Moth Fund

 To budget for Bangor DDA one
 time lump sum distribution of
 \$250,000. Prorated to the
 affected tax authorities.

2010-09-005 General Fund \$717,227
 Building Authority Debt Service
 Fund Activity

 Budget the \$717,227 transfer
 from Building Authority Debt
 Service Fund representing
 residual cash relative the Mental
 Health Group Homes debt being
 fully serviced in November 2010.
 This transfer from the Building
 Authority Debt Service Fund to
 General Fund will take place in
 November 2010.

MOVED BY COMM. _____

DONALD J. TILLEY, CHAIR AND COMMITTEE

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
 AMENDED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

9/14/10

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (8/17/10)

WHEREAS, In lieu of raises in 2009 and 2010, the Steelworkers, as well as seven other bargaining units, received enhancements in their collective bargaining agreements as follows; and

1. "Each employee covered by this agreement shall be entitled to three Personal Holidays for each year of this agreement in addition to the other time off provisions of this Section 19. Such Holidays shall be administered in the same manner as **Section 18, Vacation and Section 10, Scheduling**. These days must be taken off by December 31, 2011, or they shall be forfeited. In no event shall any employee receive pay in lieu of taking these six days off or be paid overtime for working on a previously scheduled Personal Holiday"

A. 2. "Benefits prior to this Memorandum of Understanding required that a mammography be covered one per calendar year, no age restrictions at 80% after deductible. Subsection 10.A. eliminates the deductible and percent co-pay requirements from screening mammography services provided by PPO network providers."

A. 3. "Benefits prior to this Memorandum of Understanding did not cover adult immunizations, only childhood immunizations up to the age of 16. Subsection 10.B. adds adult immunizations approved by BCBS under this additional benefit rider as recommended by the Advisory Committee on Immunization Practices and the American Academy of Pediatrics when provided by participating provider."

4. "Benefits prior to this Memorandum of Understanding for preventive care services were subject to a \$250 maximum (cap) per member per calendar year. Subsection 10.C. eliminates the cap, so that all preventive services as dictated by the BCBS coverage become covered at 100% up to the plan limits without a cap on the maximum dollars spent in this category."

WHEREAS, The Impact should be nominal: the health care coverage needs to be the same for the entire County; and non-represented employees are not covered by overtime when they are not present at work; and

No. 2010-

BAY COUNTY BOARD OF COMMISSIONERS

9/14/10

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (8/17/10)

WHEREAS Administration recommends granting the above provisions to non-represented full-time employees; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners approves the above outlined provisions to non-represented Bay County employees.

ERNIE KRYGIER, CHAIR
AND COMMITTEE

2009-2010 Non-Represented Parity

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygier				Eugene F. Gwizdala			
Vaughn J. Beglck				Klm Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS**9/14/10****RESOLUTION**

- BY: PERSONNEL/JUDICIAL COMMITTEE (8/17/10)
- WHEREAS, The national average for conducting a survey of employees reveals that between 5-15% of employees have ineligible dependents on their health insurance policies; and
- WHEREAS, At an average of \$2,400 per dependent per year (national average), this would amount to an overpayment by the county of between \$43,000 and \$120,000/year; and
- WHEREAS, Administration proposes that an independent audit of County employees with health care coverage be conducted by BASIC, a corporation specializing in human resources services; and
- WHEREAS, The audit will be conducted concurrently with the annual health care enrollment and employees will be notified of the audit prior to the enrollment period; and
- WHEREAS, All supporting documentation gathered by BASIC will be turned over the to County at the end of the audit; and
- WHEREAS, It is recommended by Professional Employee Benefits Solution that an audit be conducted every 3 to 5 years and it was unknown when the last independent audit was conducted for Bay County; and
- WHEREAS, The contractual cost for this service is \$20 per covered employee and it is anticipated the total cost will not exceed \$8,000; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves entering into a contract with BASIC to conduct an audit of County employees/dependent health care coverage at a cost not to exceed \$8,000 monies to come from Fund Balance; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute said Contract on behalf of Bay County following legal review/approval; Be It Finally
- RESOLVED That budget adjustments required are approved.

ERNIE KRYGIER, CHAIR
AND COMMITTEE

Personnel - BASIC Agt

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

 ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
 VOICE: YEAS _____ NAYS _____ EXCUSED _____

 DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS**9/14/10****RESOLUTION**

- BY: PERSONNEL/JUDICIAL COMMITTEE (8/17/10)
- WHEREAS, MedTipster LLC is a prescription benefit overlay for a traditional pharmacy benefit plan which surveys costs for generic medications at pharmacies across the United States; and
- WHEREAS, Traditionally there is a wide spread of costs charged by different pharmacies, often \$100 or more. MedTipster LLC surveys these and then issues a card to covered employees which lists the pharmacies that are below \$15.99 for the listed medication. Employees who choose to utilize the pharmacy listed will not be required to pay a co-pay; and
- WHEREAS, This supplemental program is entirely voluntary, and employees who choose other pharmacies and make a co-pay may continue to do so; and
- WHEREAS, This program does not affect "name-brand" prescription medications; and
- WHEREAS, The projected cost of this service is \$9,720 for 340 covered employees and 200 retirees; and
- WHEREAS, In a survey of actual purchases of prescription medications by Bay County employees between 1/1/2010 and 3/31/10, the County would have saved on an annualized basis \$165,294 (net) if 100% of covered employees participated; and
- WHEREAS, County employees will have the opportunity to reduce or eliminate co-pays on their generic prescriptions; and
- WHEREAS, The implementation tasks associated with the will be handled by a third party at no additional expense to the County; Therefore, be it
- RESOLVED That the Bay County Board of Commissioners authorizes entering into an Agreement w/MedTipster, LLC. to effectuate coverage by 10/1/10 at a cost of \$9,720, monies to come from Fund Balance; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute said Agreement on behalf of Bay County following legal review/ approval; Be It Further
- RESOLVED That budget adjustments required are approved.

ERNIE KRYGIER, CHAIR
AND COMMITTEE

Personnel - MedTipster LLC Agt

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygier				Eugene F. Gwizdala			
Vaughn J. Beglick				Klm Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

- 34 -

BAY COUNTY BOARD OF COMMISSIONERS

9/14/10

RESOLUTION

BY: PERSONNEL/JUDICIAL COMMITTEE (8/17/10)

RESOLVED By the Bay County Board of Commissioners that concurrence is given to post/advertise/fill the following full time/part time/temporary/seasonal or co-op positions/vacancies, monies for said positions to come from the respective departmental budgets:

- A. 9-1-1 Central Dispatch - Chief Dispatcher (ft - \$14.27/hr. entry)
- B. 9-1-1 Central Dispatch - Dispatcher (ft - \$12.57/hr. entry)

RESOLVED That budget adjustments, if required, are approved.

RESOLVED That it is clearly understood that any positions funded through a grant shall be terminated if grant funding is terminated.

ERNIE KRYGIER, CHAIR
AND COMMITTEE

Vacancies - September 14

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygier				Eugene F. Gwizdala			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

9/14/10

RESOLUTION

BY: HUMAN SERVICES COMMITTEE (8/17/10)

WHEREAS, The Violence Against Women Act (VAWA) of 2005 is a federal law that has protections for victims of domestic violence, dating violence, or stalking; and
WHEREAS, This law protects victims living in public housing or applying for public housing anywhere in the country; and
WHEREAS, Notwithstanding its title, this policy is gender-neutral and its protections are available to males as well as females of domestic violence, dating violence, or stalking; and
WHEREAS, The protections for people participating in HUD programs became effective upon enactment of the law on January 5, 2006 but HUD also requires that all public housing agencies have a VAWA policy; Therefore, Be It
RESOLVED That the Bay County Board of Commissioners hereby adopts the Bay County Housing Department's Violence Against Women Act Policy.

MICHAEL J. DURANCZYK, CHAIR
AND COMMITTEE

Housing Dept - VAWA Policy

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Klm Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY HOUSING DEPARTMENT VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY

I. Purpose and Applicability

The purpose of this Policy is to implement the applicable provisions of the Violence Against Women Act (VAWA) of 2005, (Pub. L. 109-162), and more generally to set forth the Bay County Housing Department's (BCHD) policies and procedures regarding domestic violence, dating violence, and stalking.

This Policy shall be applicable to the administration by BCHD of all federally subsidized public housing under the United States Housing Act of 1937 (42 U.S.C. § 1437 *et seq.*). Notwithstanding its title, this policy is gender-neutral, and its protections are available to males who are victims of domestic violence, dating violence, or stalking as well as female victims of such violence.

II. Goals and Objectives

This Policy has the following principal goals and objectives:

- A. Maintaining compliance with all applicable legal requirements imposed by VAWA;
- B. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, or stalking who are assisted by BCHD;
- C. Providing and maintaining housing opportunities for victims of domestic violence dating violence, or stalking;
- D. Creating and maintaining collaborative arrangements between BCHD, law enforcement authorities, victim service providers, and others to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence and stalking, who are assisted by BCHD; and
- E. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, or stalking, affecting individuals assisted by BCHD.

III. Other BCHD Policies and Procedures

This Policy shall be referenced in and attached to the BCHD's Five-Year Public Housing Agency Plan and shall be incorporated in and made a part of the BCHD's Admissions and Continued Occupancy Policy. The BCHD's annual public housing agency plan shall also contain information concerning the BCHD's activities, services or programs relating to domestic violence, dating violence, and stalking.

To the extent any provision of this policy shall vary or contradict any previously adopted policy or procedure of the BCHD, the provisions of this Policy shall prevail.

APPROVED AS TO LEGAL FORM ONLY
DATE: 11/26/10
MARSHA R. FITZTHUGH
BAY COUNTY CORPORATION COUNSEL

IV. Definitions

As used in this Policy:

- A. *Domestic Violence* – The term 'domestic violence' includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction."
- B. *Dating Violence* – means: violence committed by a person:
1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a) The length of the relationship.
 - b) The type of relationship.
 - c) The frequency of interaction between the persons involved in the relationship.
- C. *Stalking* – means:
1. to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and
 2. to place under surveillance with the intent to kill, injure, harass or intimidate another person; and
 3. In the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to:
 - a) that person;
 - b) a member of the immediate family of that person; or
 - c) the spouse or intimate partner of that person;
- D. *Immediate Family Member* - means, with respect to a person:
1. a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or
 2. any other person living in the household of that person and related to that person by blood or marriage.
- E. *Perpetrator* – means person who commits an act of domestic violence, dating

violence or stalking against a victim.

V. Admissions and Screening

- A. *Non-Denial of Assistance.* The BCHD will not deny admission to public housing rental assistance program to any person because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.
- B. *Mitigation of Disqualifying Information.* When so requested in writing by an applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, the BCHD, may but shall not be obligated to, take such information into account in mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling. If requested by an applicant to take such mitigating information into account, the BCHD shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic violence and its probable relevance to the potentially disqualifying information. The BCHD will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

VI. Termination of Tenancy or Assistance

- A. *VAWA Protections.* Under VAWA, public housing residents assisted under the rental assistance program have the following specific protections, which will be observed by the BCHD:
 - 1. An Incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a "serious or repeated" violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of that violence.
 - 2. In addition to the foregoing, tenancy will not be terminated by the BCHD as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant's control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:
 - (a) Nothing contained in this paragraph shall limit any otherwise available authority of the BCHD to terminate tenancy or evict, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant's household.

However, in taking any such action, BCHD may not apply a more demanding standard to the victim of domestic violence dating violence or stalking than that applied to other tenants.

- (b) Nothing contained in this paragraph shall be construed to limit the authority of the BCHD to evict or terminate from assistance any tenant or lawful applicant if BCHD can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

- B. *Removal of Perpetrator.* Further, notwithstanding anything in paragraph VI.A.2. or Federal, State or local law to the contrary, the BCHD may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by the BCHD. Leases used for all public housing operated by the BCHD shall contain provisions setting forth the substance of this paragraph.

VII. Verification of Domestic Violence, Dating Violence or Stalking

- A. *Requirement for Verification.* The law allows, but does not require, the BCHD to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph VII. C., the BCHD shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by the BCHD.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

1. *HUD-approved form* - by providing to the BCHD a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a

victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.

2. *Other documentation* - by providing to the BCHD documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.
 3. *Police or court record* - by providing to the BCHD a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.
- B. *Time allowed to provide verification/ failure to provide.* An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by the BCHD to provide verification, must provide such verification within 14 business days (i.e., 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result in loss of protection under VAWA and this policy against a proposed adverse action.
- C. *Waiver of verification requirement.* The Executive Director of the BCHD, may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director. Any such waiver must be in writing. Waiver in a particular instance or

instances shall not operate as precedent for, or create any right to, waiver in any other case or cases, regardless of similarity in circumstances.

VIII. Confidentiality

- A. *Right of confidentiality.* All information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to the BCHD in connection with a verification required under section VII of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:
1. requested or consented to by the individual in writing, or
 2. required for use in a public housing eviction proceeding as permitted in VAWA, or
 3. otherwise required by applicable law.
- B. *Notification of rights.* All tenants of the BCHD shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

IX. Court Orders/Family Breakup

- A. *Court orders.* It is the BCHD's policy to honor orders entered by courts of competent jurisdiction affecting individuals assisted by the BCHD and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection of victims and addressing the distribution of personal property among household members in cases where a family breaks up.
- B. *Family break-up.* Other BCHD policies regarding family break-up are contained in the BCHD's Public Housing Admissions and Continuing Occupancy Plan (ACOP).

X. Relationships with Service Providers

It is the policy of the BCHD to cooperate with organizations and entities, both private and governmental, which provide shelter and/or services to victims of domestic violence. If the BCHD staff become aware that an individual assisted by the BCHD is a victim of domestic violence, dating violence or stalking, the BCHD will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy does not create any legal obligation requiring the BCHD either to maintain a relationship with any particular provider of shelter or services to victims of domestic violence or to make a referral in any

particular case. BCHD's annual public housing agency plan shall describe providers of shelter or services to victims of domestic violence with which the BCHD has referral or other cooperative relationships.

XI. Notification

The BCHD shall provide written notification to applicants and tenants concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and, termination of tenancy or assistance.

XII. Relationship with Other Applicable Laws

Neither VAWA nor this Policy implementing it shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

XIII. Amendment

This policy may be amended from time to time by the BCHD with proper approval.

BAY COUNTY BOARD OF COMMISSIONERS**9/14/10****RESOLUTION**

- BY: HUMAN SERVICES COMMITTEE (8/17/10)
- WHEREAS, Each year the Bay County Medical Examiner (BCME) order approximately 80 autopsies which are performed at the Bay Regional Medical Center morgue; and
- WHEREAS, Currently the County utilizes Bay Region Medical Center Emergency Medical Services (EMS) to provide transportation of human remains to the morgue, however, there are areas in the County in which BRMC EMS does not provide transportation and Mobile Medical Response, Inc. has been providing transportation services in those areas; and
- WHEREAS, MMR proposes to provide body transportation for a flat rate of \$100 per transport within Bay County; and
- WHEREAS, The additional transportation costs were not budgeted by the Health Department for 2010 so an appropriation of \$4,000 is requested; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the contractual arrangement with Mobile Medical Response, Inc. and authorizes the Chairman of the Board to execute said contract on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That \$4,000 is appropriated from Fund Balance to cover this additional expense; Be It Finally
- RESOLVED That budget adjustments required are approved.

MICHAEL J. DURANCZYK, CHAIR
AND COMMITTEE

Health Dept - MMR Transport Agt

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

9/14/10

RESOLUTION

- BY: HUMAN SERVICES COMMITTEE (8/17/10)
- WHEREAS, Each year the Bay County Medical Examiner (BCME) orders approximately 80 autopsies and, through agreement, utilizes the morgue facilities available at Bay Regional Medical Center; and
- WHEREAS, The Bay County Medical Examiner wishes to extend the current agreement with BRMC through December 2011; and
- WHEREAS, BRMC is requesting no increase in reimbursement and will continue providing the facilities at a flat rate of \$9,600 annually and these funds have been budgeted; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the Amendment to the Agreement between Bay County (Health Department) and Bay Regional Medical Center for use of morgue facilities through December 2011 and authorizes the Chairman of the Board to execute said Amendment on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That budget adjustments, if required, are approved.

MICHAEL J. DURANCZYK, CHAIR
AND COMMITTEE

Health Dept - Amended Morgue Agt - BRMC

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS

9/14/10

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS

RESOLVED That the Bay County Board of Commissioners hereby approves the claims against the County as follows:

Accounts Payable:

8/11/10	\$1,194,120.16
8/18/10	\$525,939.41
8/25/10	\$689,129.52
9/1/10	\$289,972.29
9/8/10	\$204,017.09

Bayanet:

7/1/10 - 7/31/10	
Payroll	\$21,746.18
Accounts Payable	\$120,481.42
8/1/10 - 8/31/10	
Payroll	\$32,219.10
Accounts Payable	\$103,809.96

Center Ridge Arms-Payables:

0/8/10	\$23,343.97
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BRIAN K. ELDER, CHAIR
BAY COUNTY BOARD OF COMMISSIONERS

Payables - Sept Bd Mtg

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Klm Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

**BAY COUNTY BOARD OF COMMISSIONERS
9/14/10**

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (9/14/10)

RESOLVED By the Bay County Board of Commissioners that the reports of the County Executive, listed below and attached, are received:

Employment Status Report: August 2010

Workers' Compensation Report: July 2010

BRIAN K. ELDER, CHAIR
AND BOARD

County Executive - Status Reports

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

CHANGES IN EMPLOYMENT STATUS
August, 2010

EMPLOYEE NAME		DATE
<u>SEPARATIONS (Seasonal/Temporary):</u>		
<u>Community Center Pool:</u>		
Trevor Keyes	Pool Supervisor	8/28/2010
Kevin Lodewyk	Asst. Pool Supervisor	8/28/2010
Lauren Brissette	Water Safety Instructor	8/28/2010
Lindsey Brissette	Water Safety Instructor	8/28/2010
Claire Starling	Water Safety Instructor	8/28/2010
Tyler Russell	Water Safety Instructor	8/28/2010
Rachel VanWormer	Lifeguard	8/28/2010
Amara Bishop	Lifeguard	8/28/2010
Darcy Diebolt	Lifeguard	8/28/2010
Kaitlyn MacGregor	Lifeguard	8/28/2010
Jonathan Goss	Lifeguard	8/28/2010
Audrey Jeglic	Cashier	8/28/2010
Angela Raynak	Cashier	8/28/2010
<u>Summer Recreation Program:</u>		
Amy Jo Fetter	Program Supervisor	8/10/2010
Rebecca Dewyse	Program Supervisor	8/10/2010
Heather Bauer	Program Assistant	8/10/2010
Joanna Bierlein	Program Assistant	8/10/2010
Kellie Brennan	Program Assistant	8/10/2010
Mollie Delano	Program Assistant	8/10/2010
Garrett Duranczyk	Program Assistant	8/10/2010
Amy Jo Fetter	Program Assistant	8/10/2010

Kylene Frank	Program Assistant	8/10/2010
Elizabeth Getty	Program Assistant	8/10/2010
Erin Kelly	Program Assistant	8/10/2010
Ashley Schultz	Program Assistant	8/10/2010
Amber Stender	Program Assistant	8/10/2010
Evan Tacey	Program Assistant	8/10/2010
Lauren VanWormer	Program Assistant	8/10/2010

Golf Course:

Amanda Hawkins	Snack Shop - Team Leader	8/09/2010
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Mosquito Control:

Daniel Kelly	Seasonal Control Technician	8/13/2010
Adam Morse	Seasonal Control Technician	8/13/2010
Troy Techlin	Seasonal Control Technician	8/13/2010
Korey Schnell	Seasonal Control Technician	8/20/2010
Todd Pfenninger	Seasonal Control Technician	8/20/2010
Mallory Martens	Seasonal Control Technician	8/20/2010
Marc Milster	Seasonal Control Technician	8/20/2010
Stephanle Herman	Seasonal Control Technician	8/20/2010
Rachel Lauria	Seasonal Control Technician	8/20/2010
Thomas Calvo	Seasonal Control Technician	8/20/2010
Justin Middleton	Seasonal Control Technician	8/27/2010
Adam Shaffer	Seasonal Control Technician	8/27/2010
Jason Pergande	Seasonal Control Technician	8/27/2010

RETIREMENT:

Thomas Gillman Road Patrol, Sgt.	Sheriff Department	8/12/2010
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WORKERS' COMPENSATION REPORT
July, 2010

EMPLOYEE NAME	DEPARTMENT	DATE OF INJURY	REASON FOR PAYMENT
Tim Arnold	Division on Aging	05/26/2010	Medical Only
Margaret Brown	Health Department	05/19/2006	Legal Only
Sandra Fader	Division on Aging	03/03/2010	Medical Only
Thomas Holtschlag	Sheriff Department	04/11/2010	Medical Only
Ryan Krager	Mosquito Control	06/24/2010	Medical Only
Robert Lee	Sheriff Department	01/28/2010	Medical & Indemnity
Shirley Lijewski	Sheriff Department	06/13/2010	Medical & Indemnity
Caryn Loeffler-Truax	Housing Department	01/08/2009	Legal Only
Irwin Moreau	Division on Aging	05/27/2010	Medical Only
Lynn Oliver	Animal Control	05/24/2010	Medical & Indemnity
Karl Reinhardt	Drain Commission	06/29/2010	Medical Only
Jill Torres	Building and Grounds	04/03/2003	Medical & Indemnity

Note: Employees appear on this report if there has been a payment during the month from the self-insurance fund for a work related injury. A name appearing on this report does not necessarily mean the employee is off work. Oftentimes, medical bills are received a month or two after the date of injury.

Submitted by: Danean Wright/Bay County Finance Dept.
Dated: August 9, 2010

**BAY COUNTY BOARD OF COMMISSIONERS
WAYS & MEANS with REGULAR SESSION
AUGUST 10, 2010**

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A REGULAR SESSION ON TUESDAY, AUGUST 10, 2010, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN BRIAN K. ELDER AT 4:00 P.M. WITH THE FOLLOWING MEMBERS AND GUESTS PRESENT.

ROLL CALL: COMMISSIONERS MICHAEL J. DURANCZYK, VAUGHN J. BEGICK, COLLEEN MAILLETTE, ERNIE KRYGIER, KIM COONAN, EUGENE F. GWIZDALA, DONALD J. TILLEY AND CHAIRMAN BRIAN K. ELDER.

EXCUSED: COMMISSIONER PATRICK H. BESON
THOMAS HICKNER, COUNTY EXECUTIVE

OTHER MEMBERS: CYNTHIA A. LUCZAK, BAY COUNTY CLERK
SHEILA E. SHAW, SECRETARY TO THE COUNTY CLERK
ROBERT J. REDMOND, FINANCIAL ANALYST
DEANNE C. BERGER, BOARD COORDINATOR

ALSO PRESENT: MICHAEL K. GRAY, DIRECTOR, DEPT. OF ADMINISTRATIVE SERVICES
MARTHA P. FITZHUGH, CORPORATION COUNSEL
TIM QUINN, PERSONNEL & EMPLOYEE RELATIONS DIRECTOR
CRYSTAL HEBERT, ASSISTANT FINANCE OFFICER
RICK LUCZAK, RESIDENT OF BAY CITY
GERALD DESLOOVER, PRINCIPAL, REHMANN BUSINESS
VARIOUS ELECTED OFFICIALS
VARIOUS DEPARTMENT HEADS
NEWS MEDIA

INVOCATION: THE INVOCATION WAS GIVEN BY THE BAY COUNTY CLERK, CYNTHIA A. LUCZAK.

PLEDGE OF ALLEGIANCE:

MOTION 59: **MINUTES**
COMM. TILLEY MOVED TO APPROVE THE REGULAR BOARD SESSION MINUTES OF JULY 13, 2010. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.

CITIZEN INPUT

CHAIRMAN ELDER OFFERED TO ACCEPT COMMENTS OF CITIZENS WISHING TO ADDRESS THE BOARD WITH THEIR CONCERNS.

BAY CITY RESIDENT, RICK LUCZAK, APPEARED BEFORE THE BOARD TO EXPRESS HIS CONCERNS WITH THE DISPOSAL AND CLEAN UP OF WASTE WATER AND POLLUTION GENERATED BY THE GENERAL MOTORS POWERTRAIN PLANT IN BAY CITY. PRIOR STATEMENTS REGARDING THE BOND ISSUE MADE BY WATER AND SEWER REPRESENTATIVE, TOM PAIGE, WERE NOT SUBSTANTIATED IN THE OPINION OF MR. LUCZAK. IN ADDITION, HE FELT THE RESIDENTS OF THE CITY OF BAY CITY HAVE BEEN ASSESSED THE COSTS ASSOCIATED WITH THE WASTES/SPOILS OF THE PLANT AND THAT EVERY CITIZEN WITHIN BAY COUNTY SHOULD BE PAYING THE COST FOR THE CLEANUP. MR. LUCZAK ENCOURAGED CITY AND COUNTY LEADERS TO WORK TOGETHER TO SOLVE THIS "COUNTY" WASTEWATER AND "COUNTY" POLLUTION ISSUE.

PETITIONS AND COMMUNICATIONS

MOTION 60:

COMM. GWIZDALA MOVED TO GO INTO PUBLIC HEARING ON THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY HOUSING REHABILITATION GRANT PROGRAM FOR 2010-2011. IT WAS SUPPORTED BY COMM. TILLEY AND CARRIED BY A ROLL CALL VOTE:

8 YEAS - DURANCZYK, BEGICK, MAILLETTE, KRYGIER, COONAN, GWIZDALA, TILLEY, ELDER

0 NAYS

1 EXCUSED-BESON

MIKE GRAY, DEPUTY DIRECTOR OF ADMINISTRATIVE SERVICES, ANNOUNCED THAT THE \$300,000 INCLUDED IN THE MSHDA BLOCK GRANT PROGRAM WILL RENOVATE 13 HOMES THROUGHOUT BAY COUNTY. AS THE CITY OF BAY CITY WILL APPLY FOR THE SAME.

GERALD DESLOOVER, PRINCIPAL, REHMANN ROBSON, GAVE AN BRIEF OVERVIEW PRESENTATION OF THE 2009 BAY COUNTY AUDIT. HE SAID THROUGH THE PROCESS OF THE AUDIT THERE WERE NO DIFFICULTIES AND THE STAFF WAS COOPERATIVE. COPIES OF THE AUDIT ARE AVAILABLE FOR VIEWING THROUGH THE BAY COUNTY

FINANCE DEPARTMENT. BOB REDMOND COMMENTED THAT THE FUND BALANCE IS HEALTHIER AND MUST BE SUSTAINED. HE SAID THERE ARE FEW COUNTIES IN THIS GOOD SHAPE.

- MOTION 61: COMM. GWIZDALA MOVED TO GO BACK TO REGULAR SESSION FOLLOWING PUBLIC HEARING ON THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY HOUSING REHABILITATION GRANT PROGRAM FOR 2010-2011. IT WAS SUPPORTED BY COMM. KRYGIER AND ADOPTED BY A VOICE VOTE OF: 8YEAS, 0 NAYS, 1 EXCUSED-COMMISSIONER BESON
- MOTION 62: COMM. TILLEY MOVED TO RECEIVE THE 2009 BAY COUNTY AUDIT PRESENTATION AS PRESENTED BY REHMANN ROBSON. IT WAS SUPPORTED BY COMM. GWIZDALA AND PASSED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.
- MOTION 63: COMM. GWIZDALA MOVED TO RECEIVE THE LETTER DATED JULY 12, 2010 FROM THE CITY OF BAY CITY FOR APPLICATION FOR OBSOLETE PROPERTY REHABILITATION EXEMPTIONS FROM STEVE INGERSOLL, BAY CITY, MICHIGAN, FOR PROPERTIES LOCATED AT THE FOLLOWING LOCATIONS:
- ▶ 606 N. GRANT STREET - \$195,000.00
 - ▶ 620 N. GRANT STREET - \$190,000.00
 - ▶ 400 N. MADISON STREET - \$3,000,000.00
 - ▶ 615 N. GRANT STREET - \$250,000.00
 - ▶ 114 N. JACKSON STREET - \$3,000,000.00
- THE MOTION FOR THE OBSOLETE PROPERTY REHABILITATION EXEMPTION WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.
- MOTION 64: COMM. GWIZDALA MOVED TO RECEIVE THE LETTER DATED JULY 12, 2010 FROM THE CITY OF BAY CITY FOR APPLICATIONS FOR OBSOLETE PROPERTY REHABILITATION DISTRICT FROM TOM LAPORTE, BAY CITY, MICHIGAN, FOR PROPERTY LOCATED AT 822 WASHINGTON AVENUE, 4TH FLOOR, LOFT AND ROOF DECK, BAY CITY, MICHIGAN, IN THE AMOUNT OF \$200,000.00. AS SUPPORTED BY COMM. KRYGIER THEN ADOPTED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.

REPORTS/RESOLUTIONS OF COMMITTEES

**WAYS AND MEANS, DONALD J. TILLEY, CHAIRMAN;
EUGENE F. GWIZDALA, VICE CHAIR**

- RES. 2010-157: COMM. TILLEY MOVED TO ADOPT RES. 2010-157 AUTHORIZING THE REGISTER OF DEEDS TO HIRE ANOTHER INDIVIDUAL FOR THE OFF-SITE INDEXING PROJECT, DUE TO ONE OF THE PREVIOUSLY HIRED INDIVIDUALS UNABLE TO WORK THE HOURS DEVOTED TO THIS PROJECT. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO EXECUTE REQUIRED DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. GWIZDALA AND PASSED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.
- RES. 2010-158: COMM. TILLEY MOVED TO ADOPT RES. 2010-159 APPROVING THE FUND RAISING EFFORTS OF THE BAY COUNTY REGISTER OF DEEDS IN SUPPORT OF "MAKING STRIDES AGAINST BREAST CANCER WALK AND BAKE SALE", WITH ALL PROCEEDS TO BE CONTRIBUTED TO THE AMERICAN CANCER SOCIETY. IT WAS SUPPORTED BY COMM. MAILLETTE AND CARRIED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.
- RES. 2010-159: COMM. TILLEY MOVED TO ADOPT RES. 2010-159 APPROVING THE FINAL DRAFT OF THE BAY COUNTY STORM WATER POLLUTION PREVENTION INITIATIVE FOR SUBMISSION TO THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT. BAY COUNTY PROVIDES LEADERSHIP AND GUIDANCE TO THE OTHER MUNICIPALITIES AS WELL AS SCHOOL DISTRICTS IN THE URBANIZED AREA STORM WATER POLLUTION PREVENTION INITIATION PLANS FOR THOSE ENTITIES WILL BE SUBMITTED ALSO. THE INITIATIVE PLAN IS ON FILE IN THE BOARD OFFICE, THE DRAIN OFFICE AND THE COUNTY CLERK'S OFFICE FOR PUBLIC VIEWING. COMM. GWIZDALA SUPPORTED PASSAGE OF THIS RESOLUTION AND IT WAS ADOPTED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.
- RES. 2010-160: COMM. TILLEY MOVED TO ADOPT RES. 2010-160 THAT AUTHORIZED SUBMISSION OF THE APPLICATION FOR THE 2010 REMONUMENTATION GRANT AND TO AUTHORIZE THE BOARD CHAIRMAN TO EXECUTE THE APPLICATION, GRANT AWARD, ALL RESULTING DOCUMENTS, AND BUDGET ADJUSTMENTS, SUBJECT TO LEGAL REVIEW AND APPROVAL. IT WAS SUPPORTED BY

COMM. KRYGIER WHICH THEN OPENED UP THE FLOOR FOR DISCUSSION.

COMM. COONAN ASKED WHETHER OR NOT THE SCOPE OF THIS REMONUMENTATION PROGRAM WOULD BE COMPLETED WITH GENERAL FUND DOLLARS IF NOT FINISHED WITHIN THE 20 YEAR PERIOD ALLOWED. BOB REDMOND RESPONDED THAT THE COUNTY REMONUMENTATION HAD BEEN COMPLETED AND AT THIS TIME ANY IMPROVEMENTS TO THE PROGRAM WERE CONSIDERED "MAINTENANCE MODE" THAT INCLUDED GOING BACK ON SOME MARKINGS, RELOCATING ANY NECESSARY MARKINGS AND THE PLACEMENT OF G.P.S. MARKINGS WHEN PERMITTED.

THE RESOLUTION PASSED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.

RES. 2010-161: COMM. TILLEY MOVED TO ADOPT RES. 2010-161 AUTHORIZING BAY COUNTY TO ACT AS THE FIDUCIARY AGENT FOR THE FY 2010 HOMELAND SECURITY GRANT PROGRAM AGREEMENT FOR REGION 3. BAY COUNTY IS PART OF A 14 COUNTY GROUP THAT INCLUDES MICHIGAN STATE POLICE DISTRICT 3 WITHIN REGION 3. BAY COUNTY WILL CONTINUE TO ACT AS FIDUCIARY AGENT AND WILL BE REIMBURSED UP TO \$157,321.00 IN EXPENSES. FURTHER, TO AUTHORIZE THE BOARD CHAIRMAN TO EXECUTE ALL RELATED DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. BEGICK AND CARRIED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.

RES. 2010-162: COMM. TILLEY MOVED TO ADOPT RES. 2010-162 APPROPRIATING \$25,000.00 FROM GENERAL FUND FUND BALANCE REPRESENTING THE 10% CASH MATCH FOR THE GRANT RECEIVED OF \$230,299.00, FROM THE MICHIGAN DEPARTMENT OF ENERGY LABOR AND ECONOMIC GROWTH, FOR ENERGY EFFICIENCY ACTIVITIES. FURTHER, THAT REQUIRED BUDGET ADJUSTMENTS ARE APPROVED. APPLICATIONS FOR GRANT FUNDS FROM THE BAY AREA COMMUNITY FOUNDATION AND DOW CORNING, TO ASSIST IN RAISING THESE MATCHING DOLLARS HAD BEEN SUBMITTED WITH NO CONFIRMATION OF ASSISTANCE AT THIS TIME. IT WAS SUPPORTED BY COMM. GWIZDALA AND ADOPTED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.

RES. 2010-163: COMM. TILLEY MOVED TO ADOPT RES. 2010-163 APPROVING THE FINAL AMENDMENT TO THE 2009-2010 COMPREHENSIVE PLANNING, BUDGETING AND CONTRACTING AGREEMENT (CPBC). THE AMENDMENT INCORPORATES THE ANNUAL BUDGET; OUTPUT MEASURES; FUNDING/REIMBURSEMENT MATRIX; UPDATED PROGRAM LANGUAGE; PERFORMANCE LEVEL ADJUSTMENTS AND REVISED ALLOCATIONS RECEIVED SINCE AMENDMENT #4 WAS ISSUED. FURTHER, TO AUTHORIZE THE BOARD CHAIRMAN TO EXECUTE SAID AGREEMENT FOLLOWING LEGAL REVIEW AND THAT ANY NECESSARY BUDGET ADJUSTMENTS RELATING TO THIS AMENDMENT ARE APPROVED. IT WAS SUPPORTED BY COMM. COONAN, PASSED BY VOICE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.

RES. 2010-164: COMM. TILLEY MOVED TO ADOPT RES. 2010-164 APPROVING THE FOLLOWING TRANSPORTATION PLANNING PROJECT AGREEMENTS FOR FEDERAL HIGHWAY ADMINISTRATION PL FUNDS AND FEDERAL TRANSIT ADMINISTRATION SECTION 5303 FUNDS:

1. ANNUAL (FY 2011) TRANSPORTATION PLANNING (PL) FUNDS TO BCATS, FOR STREET AND HIGHWAY PLANNING (FEDERAL HIGHWAY ADMINISTRATION) - \$58,457.00.
2. ANNUAL (FY 2011) TRANSIT FUNDS SECTION 5303 TO BAY METRO FOR TRANSIT PLANNING (FEDERAL TRANSIT ADMINISTRATION) - \$182,322.00.
3. ANNUAL (FT 2011) ASSET MANAGEMENT FUNDS FOR BCATS, CITY OF BAY CITY AND BAY COUNTY ROAD COMMISSION, FOR ASSET MANAGEMENT OF FEDERAL AID ROADWAYS - \$20,000.00.

FURTHER, TO AUTHORIZE THE BOARD CHAIRMAN TO EXECUTE SAID AGREEMENTS AND RELATED DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT BUDGET ADJUSTMENTS REQUIRED ARE APPROVED. IT WAS SUPPORTED BY COMM. DURANCZYK AND CARRIED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.

RES. 2010-165: COMM. TILLEY MOVED TO ADOPT RES. 2010-165 AUTHORIZING THE ACQUISITION OF 12 GOLF CARTS FOR THE BAY COUNTY GOLF COURSE UTILIZING FUNDS IN THE CAPITAL ITEMS LINE ITEM. THE CURRENT CASH BALANCE OF \$74,000.00 WILL NOT BE DEPLETED. THE ACQUISITION IS NECESSARY DUE TO THE INCREASE IN THE DEMAND FOR GOLF CARTS BY LEAGUES AND ADDITIONAL GROUPS WHICH THE CURRENT FLEET SIZE CANNOT ACCOMMODATE. IT WAS SUPPORTED BY COMM. KRYGIER AND ADOPTED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.

RES. 2010-166: COMM. TILLEY MOVED TO ADOPT RES. 2010-166 APPROVING THE BUDGET ADJUSTMENTS FOR VARIOUS DEPARTMENTS AS LISTED ON AGENDA PAGES 42-58. THE RESOLUTION WAS SUPPORTED BY COMM. MAILLETTE AND CONCURRENCE EVIDENCED BY VOICE VOTE OF 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.

RES. 2010-167: COMM. TILLEY MOVED TO ADOPT RES. 2010-167 AUTHORIZING PAYMENT OF \$6,262.92 TO THE MICHIGAN ASSOCIATION OF COUNTIES FOR DUES COVERING THE PERIOD OF 7/10 TO 12/10, TO BE PAID FROM THE 2010 BAY COUNTY BOARD OF COMMISSIONERS BUDGET (10110100-82000). WITH THE TOTAL ANNUAL PAYMENT OF \$12,525.83 ONLY ONE HALF WAS REQUESTED AT THIS TIME. IT WAS SUPPORTED BY COMM. COONAN AND CARRIED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.

MOTION 65: COMM. TILLEY MOVED TO RECEIVE THE FOLLOWING INFORMATION ITEMS: AN ANALYSIS OF GENERAL FUND UNRESERVED/UNDESIGNATED FUND BALANCE 2010; AND EXECUTIVE DIRECTIVE #2007-11, AS PRESENTED BY CRYSTAL HEBERT, ASSISTANT FINANCE OFFICER. IT WAS SUPPORTED BY COMM. GWIZDALA AND CARRIED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.

**PERSONNEL/JUDICIAL, ERNIE KRYGIER, CHAIRMAN;
KIM COONAN, VICE CHAIR**

RES. 2010-168: COMM. KRYGIER MOVED TO ADOPT RES. 2010-168 RATIFYING THE TENTATIVE SUCCESSOR AGREEMENT BETWEEN BAY COUNTY AND THE POLICE OFFICERS LABOR COUNCIL (POLC) AND COMMAND OFFICERS FOR 2009-2011. IT WAS SUPPORTED BY COMM. COONAN AND WILL BE EXECUTED FOLLOWING A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.

RES. 2010-169: COMM. KRYGIER MOVED TO ADOPT RES. 2010-169 CONCURRING TO POST/ADVERTISE/FILL THE FOLLOWING VACANCIES WITH MONIES FOR SAID POSITIONS TO COME FROM THE RESPECTIVE DEPARTMENTAL BUDGETS:

1. BUILDINGS AND GROUNDS - CUSTODIAN/ATTENDANT, PART TIME AT \$10.63/HR.
2. DIVISION ON AGING - ON-CALL DRIVER, AT \$9.12/HR.

FURTHER, THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED AND IT IS UNDERSTOOD THAT ANY POSITIONS FUNDED THROUGH A GRANT SHALL BE TERMINATED IF GRANT FUNDING IS TERMINATED. IT WAS SUPPORTED BY COMM. TILLEY AND CARRIED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-BESON.

**HUMAN SERVICES, MICHAEL J. DURANCZYK CHAIRMAN;
VAUGHN J. BEGICK, VICE CHAIR**

RES. 2010-170: COMM. DURANCZYK MOVED TO ADOPT RES. 2010-170 AUTHORIZING SUBMISSION OF A PRE-PROPOSAL TO THE MICHIGAN COASTAL MANAGEMENT PROGRAM FOR FEDERAL FUNDS FOR LAND ACQUISITION AT PINCONNING PARK. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO EXECUTE ALL NECESSARY DOCUMENTS FOR THIS SUBMISSION SUBJECT TO LEGAL REVIEW AND APPROVAL. IT WAS SUPPORTED BY COMM. KRYGIER AND ADOPTED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-COMMISSIONER BESON.

RES. 2010-171: COMM. DURANCZYK MOVED TO ADOPT RES. 2010-171 APPROVES ENTERING INTO AN AGREEMENT WITH REGION VII AREA AGENCY ON AGING FOR THE PROVISION OF SERVICES THAT WILL QUALIFY FOR REIMBURSEMENT IN THE AMOUNT OF \$100.00 FOR EACH COMPLETED APPLICATION, OF SENIOR CITIZENS APPLYING TO GET MEDICARE BENEFITS AND SUBSIDIES THEY DESERVE. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO SIGN ALL DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT ALL BUDGET ADJUSTMENTS RELATED TO THIS ACTION ARE APPROVED. IT WAS SUPPORTED BY COMM. COONAN AND RECEIVED BOARD CONCURRENCE BY VOICE VOTE OF 8 YEAS, 0 NAYS, 1 EXCUSED-COMMISSIONER BESON.

RES. 2010-172: COMM. DURANCZYK MOVED TO ADOPT RES. 2010-172 APPROVING THE AGREEMENT BETWEEN BAY REGIONAL MEDICAL CENTER AND THE BAY COUNTY DIVISION ON AGING FOR THE PURCHASE OF OF COLD SUPPER SACK MEALS FOR SENIOR CITIZENS WHO ARE HOMEBOUND. THE AGREEMENT WAS SUPPORTED BY COMM. KRYGIER. FURTHER, TO AUTHORIZE THE BOARD CHAIR TO SIGN SAID AGREEMENT FOLLOWING LEGAL REVIEW AND THAT ALL BUDGET ADJUSTMENTS RELATED TO THIS ACTION ARE APPROVED. IT WAS THEN APPROVED BY VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-COMMISSIONER BESON.

RES. 2010-173: COMM. DURANCZYK MOVED TO ADOPT RES. 2010-173 APPROVING THE EXTENSION OF THE CURRENT AGREEMENT BETWEEN BAY COUNTY DIVISION ON AGING AND BAY REGIONAL MEDICAL CENTER FOR EXERCISE INSTRUCTOR SERVICES THROUGH SEPTEMBER 30, 2011, PROVIDING A SENIOR EXERCISE PROGRAM. FURTHER, AUTHORIZING THE BOARD CHAIR TO EXECUTE SAID AGREEMENT EXTENSION FOLLOWING LEGAL REVIEW AND THAT BUDGET ADJUSTMENTS RELATED TO THIS ACTION ARE APPROVED. IT WAS SUPPORTED BY COMM. TILLEY WITH BOARD MEMBER CONCURRENCE EVIDENCED BY A VOICE VOTE. 8 YEAS, 0 NAYS AND 1 EXCUSED-COMMISSIONER BESON.

BOARD OF COMM., BRIAN K. ELDER, CHAIRMAN; PATRICK H. BESON, VICE CHAIR

RES. 2010-174: COMM. GWIZDALA MOVED TO ADOPT RES. 2010-174 APPROVING THE CLAIMS AGAINST THE COUNTY AS FOLLOWS: ACCOUNTS PAYABLE FOR 7/14/1, 7/21/10, 7/28/10, 8/4/10; AND CENTER RIDGE ARMS PAYABLES FOR 8/4/10. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-COMMISSIONER BESON.

RES. 2010-175: COMM. GWIZDALA MOVED TO ADOPT RES. 2010-175 RECEIVING THE REPORTS OF THE COUNTY EXECUTIVE AS FOLLOWS: EMPLOYMENT STATUS REPORT FOR JULY 2010; WORKERS COMPENSATION REPORT FOR JUNE 2010; AND UNEMPLOYMENT COMPENSATION REPORT FOR 2ND QUARTER. IT WAS SUPPORTED BY COMM. MAILLETTE AND CARRIED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-COMMISSIONER BESON.

RES. 2010-176: COMM. GWIZDALA MOVED TO ADOPT RES. 2010-176 RECOGNIZING THE 20TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT (ADA) FOLLOWING PASSAGE INTO LAW BY PRESIDENT GEORGE H. BUSH ON JULY 26, 1990. THE ADA GUARANTEES EQUAL OPPORTUNITY AND ACCESS FOR DISABLED AMERICANS IN PUBLIC AND PRIVATE SECTOR SERVICES, EMPLOYMENT AND TELECOMMUNICATIONS AND THE INTENT OF THE RESOLUTION WAS TO RECOMMIT BAY COUNTY EFFORTS TO REACH FULL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. IT WAS SUPPORTED BY COMM. MAILLETTE AND ADOPTED BY A VOICE VOTE OF: 8 YEAS, 0 NAYS, 1 EXCUSED-COMMISSIONER BESON.

REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

THERE WERE NO REPORTS OF COUNTY OFFICIALS/DEPARTMENTS.

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS.

NEW BUSINESS

1ST DISTRICT COMMISSIONER MIKE DURANCZYK ENCOURAGED THIS BOARD AND CITIZENS OF THE COUNTY TO INITIATE EFFORTS IN SUPPORT OF THE REOPENING OF THE STANDISH MAXIMUM FACILITY IN STANDISH FOLLOWING ITS CLOSURE BY THE STATE OF MICHIGAN. AT THIS TIME, FEDERAL AUTHORITIES ARE NEGOTIATING WITH THE CITY OF STANDISH.

MISCELLANEOUS

STAFF MEMBER CRISTIN LIPINSKI WAS RECOGNIZED FOR HER EFFORTS IN COORDINATING THE COUNTY WEB SITE VIDEO CAMS FOR THE PRESENTATION OF MEETINGS AND SPECIAL EVENTS VIA WEB SITE TELECOMMUNICATIONS.

ANNOUNCEMENTS

CHAIRMAN ELDER REMINDED FELLOW BOARD MEMBERS OF THE THE FOLLOWING 2010 FUTURE APPOINTMENTS.

OCTOBER

1. DEPARTMENT OF HUMAN SERVICES BOARD OF DIRECTORS , ONE (1) 3-YEAR TERM.
2. BOARD OF CANVASSERS, TWO (2) 4-YEAR TERMS (NOTE: APPOINTMENTS MADE FROM LISTS SUBMITTED BY EACH OF THE MAJOR POLITICAL PARTIES).

DECEMBER

1. DIVISION ON AGING ADVISORY COUNCIL, FIVE (5) 2-YEAR TERMS FOR DISTRICTS 2, 4, 6, 8 AND AT-LARGE.

CLOSED SESSION

MOTION 66:

COMM. COONAN MOVED TO GO INTO CLOSED SESSION PURSUANT TO MCLA 15.268, SECTION 8(e): TO CONSULT WITH ITS ATTORNEY REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH SPECIFIC PENDING LITIGATION, BUT ONLY WHEN AN OPEN MEETING WOULD HAVE A DETRIMENTAL FINANCIAL EFFECT ON THE LITIGATING OR SETTLEMENT POSITION OF THE PUBLIC BODY. IT

WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A ROLL CALL VOTE OF:

8 YEAS - DURANCZYK, KRYGIER, MAILLETTE, KRYGIER, COONAN, GWIZDALA, TILLEY, ELDER

0 NAYS

1 EXCUSED-BESON

COMM. GWIZDALA WAS ASKED TO BE EXCUSED AT THIS TIME.

MOTION 67: COMM. TILLEY MOVED TO GO BACK TO REGULAR SESSION FOLLOWING CLOSED SESSION REGARDING PENDING LITIGATION. IT WAS SUPPORTED BY COMM. DURANCZYK AND CARRIED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-BESON/GWIZDALA.

MOTION 68: COMM. KRYGIER MOVED TO RECOMMEND THAT LEGAL COUNSEL ACT IN ACCORDANCE WITH THE OPINIONS PRESENTED DURING CLOSED SESSION IN REGARD TO PENDING WORKERS' COMPENSATION CASE. IT WAS SUPPORTED BY COMM. DURANCZYK AND ADOPTED BY A VOICE VOTE OF: 7 YEAS, 0 NAYS, 2 EXCUSED-BESON/GWIZDALA.

RECESS/ADJOURNMENT

MOTION 69: COMM. TILLEY MOVED TO ADJOURN THE REGULAR BOARD SESSION OF AUGUST 10, 2010. IT WAS SUPPORTED BY COMM. DURANCZYK THE MEETING CONCLUDED AT 4:50 P.M. BY A VOICE VOTE OF 7 YEAS, 0 NAYS, 2 EXCUSED- BESON/GWIZDALA.

BRIAN K. ELDER, CHAIRMAN
BOARD OF COMMISSIONERS

CYNTHIA A. LUCZAK, COUNTY CLERK
BOARD OF COMMISSIONERS

SHEILA E. SHAW
SECRETARY TO THE CLERK
BOARD OF COMMISSIONERS